

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
- AMARILLO DIVISION -**

**TEXAS BANKERS ASSOCIATION, et al.,**

Plaintiffs,

v.

**OFFICE OF THE COMPTROLLER OF  
THE CURRENCY, et al.,**

Defendants.

**CIVIL NO. 2:24-cv-00025-Z**

The Hon. Matthew J. Kacsmaryk  
United States District Judge

**DEFENDANTS' UNOPPOSED MOTION FOR WAIVER  
OF LOCAL COUNSEL REQUIREMENT**

Defendants Office of the Comptroller of the Currency, Michael J. Hsu in his official capacity, the Board of Governors of the Federal Reserve System, Jerome Powell in his official capacity, the Federal Deposit Insurance Corporation, and Martin J. Gruenberg in his official capacity (collectively “Defendants”), by counsel, respectfully move the Court for a waiver of the local counsel requirement of Local Rule 83.10. Defendants are represented by the undersigned counsel, who are ready and able to proceed in this action without the assistance of local counsel. Each of the Defendants have independent litigating authority and may represent themselves in civil actions to which they are parties.<sup>1</sup>

All of the undersigned defense counsel stand ready to fulfill all local counsel requirements and abide by all local rules of this Court, including the standard of litigation

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<sup>1</sup> See 12 U.S.C. § 248(p) (the Board of Governors of the Federal Reserve System); 12 USC § 93(d) (the *second* subsection (d)) (Office of the Comptroller of the Currency); and 12 U.S.C. §1819(a) (Federal Deposit Insurance Corporation).

conduct set forth in *Dondi Properties Corporation v. Commerce Savings & Loan Association*, 121 F.R.D. 284 (N.D. Tex. 1988) (per curiam). Defendants' attorneys are prepared to attend any in-person hearings as may be directed by the Court.

For the foregoing reasons, Defendants respectfully request waiver of the local counsel requirement.

DATED: February 26, 2024

Respectfully submitted,

/s/ Andrew J. Dober  
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/s/ Peter C. Koch

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*Counsel for Defendants Office of the  
Comptroller of the Currency and Michael J.  
Hsu, in his official capacity*

**CERTIFICATE OF CONFERENCE**

**I HEREBY CERTIFY** that on February 22, 2024, I communicated with counsel for Plaintiffs regarding this Motion, and on February 23, counsel for Plaintiffs responded that they would not oppose Defendants' Motion for Waiver of Local Counsel Requirement.

/s/ Andrew J. Dober  
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*Counsel for Defendant Federal Deposit  
Insurance Corporation*

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on February 26, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel and parties of record registered to receive such notices.

*/s/ Andrew J. Dober* \_\_\_\_\_

Andrew J. Dober